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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/927,050	08/09/2001	Ryosuke Takeuchi	450100-03410	4114

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EXAMINER

TRAN, HENRY N

ART UNIT PAPER NUMBER

2674

DATE MAILED: 06/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/927,050	Applicant(s) TAKEUCHI, RYOSUKE	
	Examiner HENRY N. TRAN	Art Unit 2674	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 March 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

The Amendment filed 3/10/05 has been considered in preparing this Office action.

Claim Rejections - 35 USC § 102

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
2. Claims 1-6 stand rejected under 35 U.S.C. 102(e) as being anticipated by Inoue et al (U.S. Patent No. 6,332,024, hereinafter referred to as "Inoue").

Inoue teach a portable telephone 1 comprising: a first operating portion 3 (the main soft key 3), which is a dial that is operated by rotating in opposing directions of up and down by a user, and is used as an editing means for permitting the user to edit by pressing it; a LCD display unit having a display screen 2 for displaying a block (Inoue says "a specified frame") indicative of the first operating portion, predetermined information comprising menu with items, or text information (e.g., see figs. 4A and 4B), and a pointer or a cursor (e.g., a vertical bar TC2 in fig. 6C, or Cc5 in fig. 6F, etc.) located correspondingly to the selected item, character, or text information; controlling means 10 (the CPU 10) for controlling the display unit to shift the cursor to a desired position within said predetermined information, and displays a mark, which is a triangular arrow (e.g., Ic21 and Ic22 in fig. 6C) indicative of a direction to which a pointer is shifted and in which said predetermined information exist, adjacently to said block along a shift direction through said first operation; a second operation portion, which comprises two softkey 4A and 4B arranged closely to each other, on both sides of the first operating portion 3, for shifting said cursor in a direction vertical to a shift direction of said cursor through said first

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operating portion; see figs. 1, 2, 6, 13 and 14; col. 5, lines 1-42, lines 57-66; col. 9, line 59 to col. 10, line 26; and col. 16, line 59 to col. 18, line 21. Claims 1-6 are therefore rejected.

Response to Arguments

3. Applicant's arguments filed 3/10/05 have been fully considered but they are not persuasive because of the following reasons:

Firstly, the applicant argued that the prior art, Inoue et al., does not teach a mark that indicates the directions, which the pointer can be moved. Examiner disagrees because Inoue clearly teaches clearly a mark, which is a triangular arrow, indicative of a direction to which a pointer can be shifted as discussed in the rejection above; and

Secondly, the applicant argued again that the Inoue et al invention does not teach an editing means for permitting a user to edit predetermined information displayed on a display unit. Examiner disagrees again because Inoue et al teaches that the main soft key 3 is used as an editing means for permitting the user to edit information by pressing it as specifically discussed in the rejection above. Therefore the rejection stands as was rejected in the previous Office action.

Conclusion

4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after

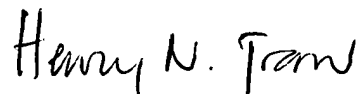
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the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to HENRY N. TRAN whose telephone number is 571-272-7760. The examiner can normally be reached on M-F 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, PATRICK N. EDOUARD can be reached on 571-272-7603. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



HENRY N TRAN
Primary Examiner
Art Unit 2674

6/9/05